

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEBRASKA**

IN RE:

CHAPTER 11 MOTION TO  
DISMISS OR CONVERT

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GENERAL ORDER 05-09

Pursuant to 11 U.S.C. § 1112(b)(1)-(3), upon the filing of a Motion for Conversion or Dismissal, the Clerk shall (1) set a date by which resistances must be filed; (2) schedule the matter for a hearing to take place within 30 days; and (3) provide notice thereof to the moving party. Unless otherwise ordered, the hearing will be upon affidavits or declarations and documentary evidence. Unless otherwise ordered, oral arguments will be scheduled in the Courtroom or by telephone conference. MOVANT SHALL NOT PROCEED UNDER LOCAL RULE 9013.

IT IS HEREBY ORDERED that the moving party shall serve notice of the motion upon the debtor and debtor's attorney, if any, and parties in interest. In all cases in which a Trustee has been appointed, the Trustee or interim Trustee shall be named and served as an additional responding party. The moving party shall immediately serve on all parties in interest the motion, proposed affidavit or declaration evidence or a detailed summary thereof, notice of the hearing date and the specific calendar date which any resistance with evidentiary summary must be filed and served and file with the Court a Certificate of Service at least five (5) days prior to the resistance deadline.

IT IS SO ORDERED.

DATED: October 14, 2005

/s/ Timothy J. Mahoney  
Timothy J. Mahoney, Chief Judge